

**SECOND JUDICIAL DISTRICT INDIGENT DEFENDER FUND  
PARISHES OF BIENVILLE, CLAIBORNE AND JACKSON, LOUISIANA**

**ANNUAL FINANCIAL REPORT  
DECEMBER 31, 2008**

Under provisions of state law, this report is a public document. A copy of the report has been submitted to the entity and other appropriate public officials. The report is available for public inspection at the Baton Rouge office of the Legislative Auditor and, where appropriate, at the office of the parish clerk of court.

Release Date 7/15/09

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**KENNETH D. FOLDEN & CO.**

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Second Judicial District Indigent Defender Fund  
Financial Report  
December 31, 2008

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Second Judicial District Indigent Defender Fund  
Jonesboro, LA 71251

MANAGEMENT'S DISCUSSION AND ANALYSIS

The Management's Discussion and Analysis is an element of the reporting model adopted by the *Governmental Accounting Standards Board (GASB)* in their Statement No. 34. Certain comparative information is presented to provide an overview of the District Indigent Defender Fund's operations.

Financial Highlights

This annual report consists of a series of financial statements. The Statement of Net Assets and the Statement of Activities provide information about the activities of the District Indigent Defender Fund as a whole and present a longer-term view of the District Indigent Defender Fund's finances. These statements tell how these services were financed in the short-term as well as what remains for future spending. The District Indigent Defender Fund maintains only one fund, the general fund, through which all of its operations are conducted.

Second Judicial District Indigent Defender Fund  
Jonesboro, LA 71251

A summary of the basic government-wide financial statements is as follows:

Summary of Statement of Net Assets

	<u>2008</u>	<u>2007</u>
ASSETS:		
Assets	\$ 430,326	\$ 366,453
Capital assets, net	6,552	0
Total Assets	<u>436,878</u>	<u>366,453</u>
LIABILITIES:		
Payables	1,536	500
Total Liabilities	<u>1,536</u>	<u>500</u>
NET ASSETS:		
Investment in capital assets (net)	6,552	0
Unrestricted	428,790	365,953
Total Net Assets	<u>\$ 435,342</u>	<u>\$ 365,953</u>

Second Judicial District Indigent Defender Fund  
Jonesboro, LA 71251

Summary of Statement of Activities

	<u>2008</u>	<u>2007</u>
<b>REVENUES:</b>		
General Revenues:		
Court cost and Fines and Forfeitures	\$ 278,066	\$ 294,082
Fees from Indigents	9,160	9,152
Appearance bond rebates and bond premium fees	22,165	20,494
Grant Income	99,592	60,173
Interest income	11,284	13,023
Total Revenues	<u>420,267</u>	<u>396,924</u>
 <b>EXPENSES:</b>		
Indigent Board	350,878	317,911
Total Expenses	<u>350,878</u>	<u>317,911</u>
Change in Net Assets	<u>\$ 69,389</u>	<u>\$ 79,013</u>

- The District Indigent Defender Fund's assets exceeded its liabilities by \$435,342 (net assets) for the year. This is an increase of \$ 69,389 from prior year.
- Unrestricted net assets of \$ 428,790 represent the portion available to maintain the District Indigent Defender Fund's obligation to both citizens and creditors.

Second Judicial District Indigent Defender Fund  
Jonesboro, LA 71251

General Fund Budgetary Highlights

Revenues continue to be sufficient to enable the District Indigent Defender Fund to provide legal counsel to indigent defendants in the Second Judicial District.

Economic Factors and Next Year's Budget

The District Indigent Defender Fund considered many factors when setting the budget for the next fiscal year. Anticipated revenues should decrease slightly and a small decrease in expenditures is expected. However, the budget for FY 2009 should not decrease significantly from FY 2008.

Contacting the District Indigent Defender Fund

This financial report is designed to provide our citizens and creditors with a general overview of the District Indigent Defender Fund's finances and to show the District Indigent Defender Fund's accountability for the money it receives. Any questions about this report or requests for additional information may be directed to District Public Defender Clay Carroll, 525 E. Court Street, Jonesboro, Louisiana 71251.

## Kenneth D. Folden & Co.

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### ACCOUNTANT'S REVIEW REPORT ON THE FINANCIAL STATEMENTS

District Public Defender  
Second Judicial District Indigent Defender Fund  
525 E. Court Street  
Jonesboro, Louisiana 71251

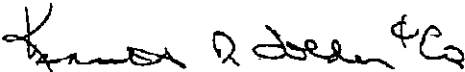
We have reviewed the accompanying financial statements of the governmental activities and each major fund of the Second Judicial District Indigent Defender Fund as of and for the year ended December 31, 2008, which collectively comprise the District's basic financial statements as listed in the Table of Contents, in accordance with *Statements on Standards for Accounting and Review Services* issued by the *American Institute of Certified Public Accountants*. All information included in these financial statements is the representation of management of the District Indigent Defender Fund..

A review consists principally of inquiries of the District Indigent Defender Fund's personnel and analytical procedures applied to financial data. It is substantially less in scope than an audit in accordance with generally accepted auditing standards, the objective of which is the expression of an opinion regarding the financial statements taken as a whole. Accordingly, we do not express such an opinion.

Based on our review, we are not aware of any material modifications that should be made to the accompanying financial statements in order for them to be in conformity with generally accepted accounting principles.

The Management's Discussion and Analysis and budgetary comparison information on pages 1 through 4 and 23 through 24, are not a required part of the basic financial statements but are supplementary information required by the *Governmental Accounting Standards Board*. Such information has not been subjected to the inquiry and analytical procedures applied in the review of the basic financial statements, but was compiled from information that is the representation of management, without audit or review. Accordingly, we do not express an opinion or any other form of assurance on the supplementary information.

In accordance with the *Louisiana Governmental Audit Guide* and the provisions of state law, we have issued a report dated June 29, 2009 on the results of our agreed-upon procedures.

  
Kenneth D. Folden & Co., CPAs  
Jonesboro, Louisiana  
June 29, 2009

**BASIC FINANCIAL STATEMENTS**



GOVERNMENT-WIDE  
FINANCIAL STATEMENTS

Second Judicial District Indigent Defender Fund  
Statement of Net Assets  
December 31, 2008

	Governmental <u>Activities</u>
<b>ASSETS:</b>	
Current Assets:	
Cash & Cash Equivalents	\$ 409,720
Receivables	20,606
Total Current Assets	<u>430,326</u>
Non-Current Assets:	
Capital Assets (Net)	<u>6,552</u>
Total Assets	<u><u>436,878</u></u>
 <b>LIABILITIES:</b>	
Current Liabilities:	
Accounts Payable	<u>1,536</u>
Total Liabilities	<u>1,536</u>
 <b>NET ASSETS:</b>	
Invested in Capital Assets	6,552
Unrestricted	<u>428,790</u>
Total Net Assets	<u><u>\$ 435,342</u></u>

See accompanying notes and accountant's report.

Second Judicial District Indigent Defender Fund  
Statement of Activities  
December 31, 2008

<u>Activities</u>	<u>Expenses</u>	<u>Program Revenues</u>			Net (Expense) Revenue and Changes in Net Assets Government <u>Activities</u>
		<u>Charges for Services</u>	<u>Operating Grants and Contributions</u>		
Governmental Activities:					
District Indigent Defender Fund	\$ 350,878	\$ 0	\$ 99,592	\$	(251,286)
Total Governmental Activities	<u>350,878</u>	<u>0</u>	<u>99,592</u>		<u>(251,286)</u>
General Revenues:					
Court cost and fines and forfeitures					278,066
Fees from indigents					9,160
Appearance bond rebates and bond premium fees					22,165
Interest revenue					11,284
Total General Revenues					<u>320,675</u>
Changes in Net Assets					69,389
Net Assets January 1, 2008					<u>365,953</u>
Net Assets December 31, 2008				\$	<u>435,342</u>

See accompanying notes and accountant's report.

## FUND FINANCIAL STATEMENTS

Second Judicial District Indigent Defender Fund  
Balance Sheet-Governmental Fund  
December 31, 2008

## Assets:

Cash & Cash Equivalents	\$	409,720
Receivables		20,606
Total Assets	\$	<u>430,326</u>

## Liabilities:

Accounts Payable		1,536
Total Liabilities		<u>1,536</u>

## Fund Balance:

Unreserved		428,790
Total Liabilities and Fund Balance	\$	<u>430,326</u>

See accompanying notes and accountant's report.

Second Judicial District Indigent Defender Fund  
Reconciliation of the Governmental Fund  
Balance Sheet to the Statement of Net Assets  
December 31, 2008

Total Fund Balance for the Governmental Fund  
at December 31, 2008 \$ 428,790

Total Net Assets reported for Governmental Activities  
In the Statement of Net Assets is different because:

Capital Assets used in Governmental Activities are not  
financial resources and, therefore, are not reported  
in the fund. Those assets consist of:

Land, Equipment, Buildings, and Vehicles, Net of Accumulated Depreciation	<u>6,552</u>
Total Net Assets of Governmental Activities at December 31, 2008	<u>\$ 435,342</u>

See accompanying notes and accountant's report.

Second Judicial District Indigent Defender Fund  
Statement of Revenues, Expenditures and Changes in Fund Balance-  
Governmental Fund  
Year Ended December 31, 2008

	<u>Total</u>
REVENUES:	
Court cost and fines and forfeitures	\$ 278,066
Fees from Indigents	9,160
Appearance bond rebates and bond premium fees	22,165
Grants	99,592
Interest	11,284
Total Revenues	<u>420,267</u>
EXPENDITURES:	
Current--	
Contracted legal services	296,438
Contracted capital defense and experts	2,904
Office & Research	6,392
Dues	900
Professional services	39,975
Seminar	3,261
Capital Outlay	7,560
Total Expenditures	<u>357,430</u>
Excess of Revenues over Expenditures	62,837
Fund Balance - Beginning of Year	365,953
Fund Balance - End of Year	<u>\$ 428,790</u>

See accompanying notes and accountant's report.

Second Judicial District Indigent Defender Fund  
Reconciliation of the Statement of Revenues, Expenditures  
and Changes in Fund Balance of the Governmental Fund  
to the Statement of Activities  
for the Year Ended December 31, 2008

Total Net Change in Fund Balance at December 31, 2008, per Statement of Revenues, Expenditures and Changes in Fund Balance	\$ 62,837
The Change in Net Assets reported for Governmental Activities in the Statement of Activities is different because:	
Capital Outlay cost which are considered expenditures on Statement of Revenues, Expenditures and Changes in Fund Balance	7,560
Depreciation expense for the year ended December 31, 2008	<u>(1,008)</u>
Total changes in Net Assets at December 31, 2008, per Statement of Activities	<u>\$ 69,389</u>

See accompanying notes and accountant's report.



## NOTES TO FINANCIAL STATEMENTS

Second Judicial District Indigent Defender Fund  
Notes to Financial Statements  
December 31, 2008

1. Introduction:

The Second Judicial District Indigent Defender Fund is established in compliance with Louisiana Revised Statutes 15:141-184, to provide and compensate counsel appointed to represent indigents in criminal and quasi-criminal cases on the district court level. The judicial district encompasses the parishes of Bienville, Claiborne and Jackson, Louisiana. The District Public Defender will manage and supervise the public defender services provided within the Second Judicial District of Louisiana. The District Public Defender will be responsible for complying with the statutory requirements of Louisiana Revised Statute 15:161 in the performance of the duties of the District Public Defender, and in the operations of the District Indigent Defender Fund.

2. Summary of Significant Accounting Policies:

The accounting and reporting policies of the Second Judicial District Indigent Defender Fund conform to generally accepted accounting principles (GAAP) as applicable to governmental units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The accompanying basic financial statements have been prepared in conformity with GASB 34, *Basic Financial Statements and Management's Discussion and Analysis for State and Local Governments*, issued in June 1999. Such accounting and reporting policies also conform to the requirements of Louisiana Revised Statutes 24:517 and to the guides set forth in the *Louisiana Governmental Audit Guide*.

A. Reporting Entity-

Governmental Accounting Standards Board Statement No. 14 established criteria for determining the governmental entity and component units that should be included within the reporting entity. The basic criterion for including a potential component unit within the reporting entity is financial accountability. For financial reporting purposes, in conformance with GASB Statement No. 14, the Second Judicial District Indigent Defender Fund includes all funds, account groups, et cetera, that are within the oversight responsibility of the District Public Defender. Oversight responsibility is determined on the basis of appointment of governing body, ability to significantly influence operations, accountability for fiscal matters, and the nature and significance of an organization's relationship with the primary government. Based on the consideration of the foregoing criteria, the Second Judicial District Indigent Defender Fund is deemed to be a separate reporting entity. Certain units of local government over which the District Indigent Defender Fund exercises no oversight responsibility, such as the parish police jury, parish school board, other independently-elected officials, and municipalities within the parish, are excluded from the accompanying financial statements. These units of government are considered separate reporting entities and issue financial statements separate from those of the District Indigent Defender Fund.

B. Basis of Presentation-

Government-Wide Financial Statements (GWFS)

The Statement of Net Assets and Statement of Activities report information about the reporting government as a whole. They include all funds of the reporting government. Governmental activities generally are financed through taxes, intergovernmental revenues, and other non-exchange revenues.

Second Judicial District Indigent Defender Fund  
Notes to Financial Statements (Continued)  
December 31, 2008

The Statement of Activities presents a comparison between direct expenses and program revenues for each function of the District Indigent Defender Fund's governmental activities. Direct expenses are those that are specifically associated with a program or function. Program revenues include (a) fees and charges paid by the recipient for goods or services offered by the program, and (b) grants and contributions that are restricted to meeting the operational or capital requirements of a particular program. Revenues that are not classified as program revenues, including all taxes, are presented as general revenues.

C. Fund Accounting-

The accounts of the District Indigent Defender Fund are organized on the basis of funds. A fund is an independent fiscal and accounting entity with a separate set of self-balancing accounts. Fund accounting segregates funds according to their intended purpose and is used to aid management in demonstrating compliance with finance-related legal and contractual provisions. The minimum number of funds is maintained consistent with legal and managerial requirements.

The District Indigent Defender Fund maintains only one fund. It is categorized as a governmental fund. The emphasis on fund financial statements is on major governmental and enterprise funds; each displayed in a separate column. A fund is considered major if it is the primary operating fund of the entity or meets the following criteria:

- Total assets, liabilities, revenues, or expenditures/expenses of that individual governmental or enterprise fund are at least 10 percent of the corresponding total for all funds of that category or type; and
- Total assets, liabilities, revenues, or expenditures/expenses of the individual governmental or enterprise fund are at least 5 percent of the corresponding total for all governmental and enterprise funds combined.

The major fund of the District Indigent Defender Fund is described below:

Governmental Fund-

General Fund

The General Fund is the general operating fund of the District Indigent Defender Fund. It is used to account for all financial resources except those required to be accounted for in another fund.

D. Measurement Focus/Basis of Accounting-

Basis of accounting refers to when revenues or expenditures/expenses are recognized in the accounts and reported in the financial statements. It relates to the timing of the measurements made regardless of the measurement focus applied.

Second Judicial District Indigent Defender Fund  
Notes to Financial Statements (Continued)  
December 31, 2008

Accrual Basis - Government-Wide Financial Statements (GWFS)

The Statement of Net Assets and the Statement of Activities display information about the District Indigent Defender Fund as a whole. Both of these statements have been prepared using the economic measurement focus and the accrual basis of accounting. Revenues, expenses, gains, losses, assets, and liabilities resulting from exchange and exchange-like transactions are recognized when the exchange takes place.

Modified Accrual Basis - Fund Financial Statements (FFS)

The accounting and financial reporting treatment applied to a fund is determined by its measurement focus. Governmental fund types use the flow of current financial resources measurement focus and the modified accrual basis of accounting. Under the modified accrual basis of accounting, revenues are recorded when susceptible to accrual; i.e., when they are both measurable and available. "Measurable" means the amount of the transaction can be determined and "available" means collectible within the current period or soon enough thereafter to pay liabilities of the current period. The District Indigent Defender Fund considers all revenues "available" if they are collected within 60 days after year-end. Expenditures are generally recorded under the modified accrual basis of accounting when the related liability is incurred. The exceptions to this general rule are that (1) unmatured principal and interest on long-term debt, if any, are recorded when due and (2) claims and judgments and compensated absences are recorded as expenditures when paid with expendable available financial resources.

E. Assets, Liabilities, and Equity-

Cash and Interest-Bearing Deposits-

For purposes of the Statement of Net Assets, cash and interest-bearing deposits include all demand accounts, savings accounts, and certificates of deposit of the District Indigent Defender Fund.

Capital Assets-

Capital assets, which include property, plant, and equipment, are reported in the governmental activities column in the government-wide financial statements. Capital assets are capitalized at historical cost or estimated cost if historical cost is not available. Donated assets are recorded as capital assets at their estimated fair market value at the date of donation. The District Indigent Defender Fund maintains a threshold level of \$500 or more for capitalizing capital assets.

The costs of normal maintenance and repairs that do not add to the value of that asset or materially extend the life of that asset are not capitalized.

Depreciation of all exhaustible capital assets is recorded as an expense in the Statement of Activities, with accumulated depreciation reflected in the Statement of Net Assets. Depreciation is provided over the assets' estimated useful lives using the straight-line method of depreciation. The range of useful lives by type of asset is as follows:

Furniture, computers

5 years

Second Judicial District Indigent Defender Fund  
Notes to Financial Statements (Continued)  
December 31, 2008

Liabilities -

Compensated Absences -The District Indigent Defender Fund does not have any employees. Therefore, no entry is made to record compensated absences.

Equity Classifications-

In the government-wide statements, equity is classified as net assets and displayed in three components:

- Invested in capital assets, net of related debt---Consists of capital assets including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets.
- Restricted net assets---Consists of net assets with constraints placed on the use either by (1) external groups such as creditors, grantors, contributors, or laws or regulations of other governments; or (2) law through constitutional provision or enabling legislation.
- Unrestricted net assets---All other net assets that do not meet the definition of "restricted" or "invested in capital assets, net of related debt".

In the fund statements, governmental fund equity is classified as fund balance. Fund balance is further classified as reserved and unreserved, with unreserved further split between designated and undesignated.

F. Budget-

Prior to the beginning of each fiscal year, the District Indigent Defender Fund adopts a budget for the next fiscal year. The budget is open for public inspection. All budgetary appropriations lapse at the end of the fiscal year. The budget is prepared on the modified accrual basis of accounting.

G. Estimates-

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America require management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues, expenditures, and expenses during the reporting period. Actual results could differ from those estimates.

3. Cash and Cash Equivalents:

For reporting purposes, cash and cash equivalents include demand deposits, time deposits, and certificates of deposit. At December 31, 2008, the District Indigent Defender Fund had cash and cash equivalents (book bank balances) totaling \$409,720. All cash is deposited in interest bearing accounts. Cash and cash equivalents are stated at cost, which approximates market. Under Louisiana law, these deposits must be secured by federal deposit insurance or the pledge of securities owned by the bank. The market value of the pledged securities plus the federal deposit insurance must at all times equal the amount on deposit with the

Second Judicial District Indigent Defender Fund  
Notes to Financial Statements (Continued)  
December 31, 2008

bank. These pledged securities are held in the name of the pledging bank in a holding or custodial bank in the form of safekeeping receipts held by the District Indigent Defender Fund.

The deposits (bank balances) at December 31, 2008, were secured as follows:

Demand Deposits	\$ 172,023
Certificate of Deposit	237,697
Total	<u>\$ 409,720</u>
FDIC Insurance	\$ 409,720
Pledged Securities	313,878
Total	<u>\$ 723,598</u>

Even though the pledged securities are considered uncollateralized (Category 3), Louisiana Revised Statute 39:1229 imposes a statutory requirement on the custodial bank to advertise and sell the pledged securities within 10 days of being notified by the District Indigent Defender Fund that the fiscal agent has failed to pay deposited funds upon demand.

4. Capital Assets:

Capital asset balances and activity for the year ended December 31, 2008, are as follows:

Governmental Activities	Balance 01-01-08	Additions	Deletions	Balance 12-31-08
Capital Assets Depreciated:				
Furniture, computers	<u>\$15,630</u>	<u>\$7,560</u>	<u>\$0</u>	<u>\$23,190</u>
Total Assets	<u>\$15,630</u>	<u>\$7,560</u>	<u>\$0</u>	<u>\$23,190</u>
Less: Accumulated Depreciation:				
Furniture, computers	<u>\$15,630</u>	<u>\$1,008</u>	<u>\$0</u>	<u>\$16,638</u>
Total Depreciation	<u>\$15,630</u>	<u>\$1,008</u>	<u>\$0</u>	<u>\$16,638</u>
Net Capital Assets	<u>\$ 0</u>	<u>\$6,552</u>	<u>\$0</u>	<u>\$ 6,552</u>

Depreciation expense of \$1,008 was charged to the general government function.

5. Pension Plan:

The District Indigent Defender Fund has no employees, so there is no participation in a pension plan.

Second Judicial District Indigent Defender Fund  
Notes to Financial Statements (Concluded)  
December 31, 2008

6. Governmental Fund Revenues and Expenditures

For the year ended December 31, 2008, the major sources of governmental fund revenues and expenditures were as follows:

Revenues:

**State Government**

Grants	<u>\$ 99,592</u>
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Total	<u>99,592</u>
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**Local Government**

Statutory fines, forfeitures, fees, court costs, and other	53,050
Criminal court fund	<u>256,341</u>

Total	<u>309,391</u>
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<b>Investment earnings</b>	<u>11,284</u>
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Total Revenues	<u>\$ 420,267</u>
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Expenditures:

**Operating Cost**

Library and research	6,106
Contract services - attorney/legal	257,278
Contract services - other	42,879
Insurance	43,321
Other	<u>286</u>
Other	

349,870

<b>Capital Outlay</b>	<u>7,560</u>
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Total Expenditures	<u>\$357,430</u>
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OTHER REQUIRED  
SUPPLEMENTARY INFORMATION



Second Judicial District Indigent Defender Fund  
General Fund  
Budgetary Comparison Schedule  
For the Year Ended December 31, 2008  
With Comparative Actual Amounts from December 31, 2007

	2008			
	Budget Original/Final	Actual	Variance Favorable (Unfavorable)	2007 Actual
<b>REVENUES:</b>				
Second Judicial Court Costs on fines and forfeitures	\$ 305,500	\$ 278,066	\$ (27,434)	\$ 294,082
Fees from indigents	9,000	9,160	160	9,152
Appearance bond rebates and bond premium fees	23,000	22,165	(835)	20,494
Grants	63,000	99,592	36,592	60,173
Interest	8,000	11,284	3,284	13,023
Total Revenues	<u>\$ 408,500</u>	<u>\$ 420,267</u>	<u>\$ 11,767</u>	<u>\$ 396,924</u>
<b>EXPENDITURES:</b>				
Association dues	\$ 900	\$ 900	\$ 0	\$ 0
Contracted legal services	327,400	296,438	30,962	289,664
Contracted capital defense	30,000	2,904	27,096	16,254
Office & Research	14,500	6,392	8,108	5,661
Miscellaneous	0	0	0	774
Professional services	81,200	39,975	41,225	3,950
Seminars & Conferences	5,500	3,261	2,239	1,608
Capital Outlay	0	7,560	(7,560)	0
Total Expenditures	<u>\$ 459,500</u>	<u>\$ 357,430</u>	<u>\$ 102,070</u>	<u>\$ 317,911</u>
<b>EXCESS (DEFICIENCY) OF REVENUE</b>				
Over (under) Expenditures	(51,000)	62,837	113,837	79,013
Net Change in Fund Balance	<u>(51,000)</u>	<u>62,837</u>	<u>113,837</u>	<u>79,013</u>
Fund Balance Beginning of Year	365,953	365,953	0	286,940
Fund Balance End of Year	<u>\$ 314,953</u>	<u>\$ 428,790</u>	<u>\$ 113,837</u>	<u>\$ 365,953</u>

## Kenneth D. Folden &amp; Co.

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INDEPENDENT ACCOUNTANT'S REPORT  
ON APPLYING AGREED-UPON PROCEDURES

Second Judicial District Indigent Defender Fund  
Jonesboro, Louisiana 71251

We have performed the procedures included in the *Louisiana Governmental Audit Guide* and enumerated below, which were agreed to by the management of the Second Judicial District Indigent Defender Fund and the Legislative Auditor, State of Louisiana, solely to assist the users in evaluating management's assertions about the Second Judicial District Indigent Defender Fund's compliance with certain laws and regulations during the year ended December 31, 2008, included in the *Louisiana Attestation Questionnaire*. This agreed-upon procedures engagement was performed in accordance with standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of the specified users of the report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

## PUBLIC BID LAW

1. Select all expenditures made during the year for materials and supplies exceeding \$20,000, or public works exceeding \$100,000, and determine whether such purchases were made in accordance with LSA-RS 38:2211-2251 (the public bid law).

There were no expenditures made during the year for materials and supplies exceeding \$20,000 or for public works exceeding \$100,000.

## CODE OF ETHICS FOR PUBLIC OFFICIALS AND PUBLIC EMPLOYEES

2. Obtain from management a list of the immediate family members of the District Public Defender as defined by LSA-RS 42:1101-1124 (the code of ethics), and a list of outside business interests of all fund members and employees, as well as their immediate families.

Management provided us with the required list including the noted information.

3. Obtain from management a listing of all employees paid during the period under examination.

The District Indigent Defender Fund has no employees so no listing is required.

4. Determine whether any of those employees included in the listing obtained from management in agreed-upon procedures (3) were also included on the listing obtained from management in agreed-upon procedures (2) as immediate family members.

The Second Judicial District Indigent Defender Fund has no employees so no one appears on the list provided by management in agreed-upon procedure (2).

#### BUDGETING

5. Obtain a copy of the legally adopted budget and all amendments.

Management provided us with a copy of the original budget.

6. Trace the budget adoption to the minute book.

Due to the reformation of the District Indigent Defender office, no minutes are maintained..

7. Compare the revenues and expenditures of the final budget to actual revenues and expenditures to determine if actual revenues or expenditures exceed budgeted amounts by more than 5%.

The actual revenues and actual expenses for the year were compared to the budgeted revenues and budgeted expenses. Actual revenues exceeded budgeted revenues. Actual expenses were less than budgeted expenses.

#### ACCOUNTING AND REPORTING

8. Randomly select 6 disbursements made during the period under examination and:

- (a) trace payments to supporting documentation as to proper amount and payee:

We examined supporting documentation for each of the six selected disbursements and found that payment was for the proper amount and made to the correct payee.

- (b) determine if payments were properly coded to the correct fund and general ledger account:

Each disbursement appeared to be coded correctly.

- (c) determine whether payments received approval from proper authorities:

Inspection of documentation supporting each of the 6 selected disbursements indicated adequate approvals.

#### MEETINGS

9. Examine evidence indicating that agendas for meetings recorded in the minute book were posted or advertised as required by LSA-RS 42:1 through 42:12 (the open meetings law).

Due to the reformation of the District Indigent Defender office, no board exists, so there were no minutes to be kept.

## DEBT

10. Examine bank deposits for the period under examination and determine whether any such deposits appear to be proceeds of bank loans, bonds or any other indebtedness which have not been approved by the State Bond Commission.

We inspected copies of all bank deposits for the period under examination and noted no deposits that appeared to be proceeds of bank loans, bonds, or other indebtedness that had not been approved by the State Bond Commission.

## ADVANCES AND BONUSES

11. Examine payroll records and minutes for the year to determine whether any payments have been made to employees that may constitute bonuses, advances, or gifts.

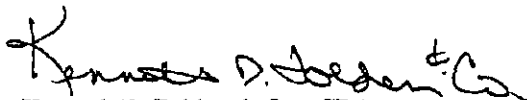
We noted no instances which would indicate payments to employees which would constitute bonuses, advances, or gifts.

## PRIOR COMMENTS OR RECOMMENDATIONS

Our prior report, dated December 31, 2007, did not include any comments or unresolved matters.

We were not engaged to, and did not, perform an examination, the objective of which would be the expression of an opinion on management's assertions. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the use of management of the District Public Defender of the Second Judicial District of Louisiana and the Legislative Auditor, State of Louisiana, and should not be used by those who have not agreed to the procedures and taken responsibility for the sufficiency of the procedures for their purposes. Under Louisiana Revised Statute 24:513, this report is distributed by the Legislative Auditors as a public document.



Kenneth D. Folden & Co., CPAs  
Jonesboro, Louisiana  
June 29, 2009

CHIEF INDIGENT DEFENDER  
**LOUISIANA ATTESTATION QUESTIONNAIRE**

Kenneth D. Folden & Company, CPAs

302 Eighth Street

Jonesboro, Louisiana 71251

In connection with your review of our financial statements as of December 31, 2008 and for the year then ended, and as required by Louisiana Revised Statute 24:513 and the *Louisiana Governmental Audit Guide*, we make the following representations to you. We accept full responsibility for our compliance with the following laws and regulations and the internal controls over compliance with such laws and regulations. We have evaluated our compliance with the following laws and regulations prior to making these representations.

These representations are based on the information available to us as of April 23, 2009.

**Public Bid Law**

It is true that we have complied with the public bid law, LSA-RS Title 38:2212, and, where applicable, the regulations of the Division of Administration, State Purchasing Office..

Yes ☒ No [ ]

**Code of Ethics for Public Officials and Public Employees**

It is true that no employees or officials have accepted anything of value, whether in the form of a service, loan, or promise, from anyone that would constitute a violation of LSA-RS 42:1101-1124.

Yes ☒ No [ ]

It is true that no member of the immediate family of any member of the governing authority, or the chief executive of the governmental entity, has been employed by the governmental entity after April 1, 1980, under circumstances that would constitute a violation of LSA-RS 42:1119.

Yes ☒ No [ ]

**Budgeting**

We have complied with the state budgeting requirements of the Local Government Budget Act (LSA-RS 39:1301-14) or the budget requirements of LSA-RS 39:34.

Yes ☒ No [ ]

**Accounting and Reporting**

All non-exempt governmental records are available as a public record and have been retained for at least three years, as required by LSA-RS 44:1, 44:7, 44:31, and 44:36.

Yes ☒ No [ ]

We have filed our annual financial statements in accordance with LSA-RS 24:514, 33:463, and/or 39:92, as applicable.

Yes [☒] No [ ]

We have had our financial statements audited or compiled in accordance with LSA-RS 24:513.

Yes [☒] No [ ]

### Meetings

We have complied with the provisions of the Open Meetings Law, provided in RS 42:1 through 42:12.

Yes [☒] No [ ]

### Debt

It is true we have not incurred any indebtedness, other than credit for 90 days or less to make purchases in the ordinary course of administration, nor have we entered into any lease-purchase agreements, without the approval of the State Bond Commission, as provided by Article VII, Section 8 of the 1974 Louisiana Constitution, Article VI, Section 33 of the 1974 Louisiana Constitution, and LSA-RS 39:1410.60-1410.65.

Yes [☒] No [ ]

### Advances and Bonuses

It is true we have not advanced wages or salaries to employees or paid bonuses in violation of Article VII, Section 14 of the 1974 Louisiana Constitution, LSA-RS 14:138, and AG opinion 79-729.

Yes [☒] No [ ]

We have disclosed to you all known noncompliance of the foregoing laws and regulations, as well as any contradictions to the foregoing representations. We have made available to you documentation relating to the foregoing laws and regulations.

We have provided you with any communications from regulatory agencies or other sources concerning any possible noncompliance with the foregoing laws and regulations, including any communications received between the end of the period under examination and the issuance of this report. We acknowledge our responsibility to disclose to you any known noncompliance which may occur subsequent to the issuance of your report.

Chief Defender 

Date: 4/30/09